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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

EDWARDS LIFESCIENCES LLC,

Plaintiff,

No. C 03-03817 JSW

v.

MEDTRONIC, INC., et al.

**ORDER DENYING WITHOUT
PREJUDICE MOTION TO
DISMISS**

Defendants.

Currently pending before the Court is a motion to dismiss filed by Medtronic, Inc. and Medtronic Ave., Inc. This action, however, has been stayed pending resolution of a related case, *Medtronic, Inc. v. White*, 04-2201.

The Court HEREBY DENIES WITHOUT PREJUDICE the motion to dismiss, pending resolution of the *Medtronic v. White* case. This ruling is without prejudice to Defendants renewing their motion upon resolution of that matter. Defendants need not re-file the briefing already on file with the Court. Rather, they shall simply file a notice of their intent to renew the motion and set the matter down for hearing.

IT IS SO ORDERED.

Dated: September 22, 2005


JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE